SHRI SATYA PRAKASH MALAVIYA: It is headed by our friend.

DR. BAPU KALDATE: And your colleague.

SHRI SATYA PRAKASH MALAVIYA: So far as the use of Penicillin in hospitals is concerned, it is the concern of the Health Ministry.

MR. CHAIRMAN: Question No. 22.

झेलम मेडिकल कालेज, श्रीनगर के छात्रों का दाखिला

***22. श्री शब्बीर अहमद सलारिया :** क्या स्वास्थ्य और परिवार कल्याण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या श्रीनगर के एक गैर-सरकारी मेडिकल कालेज अर्थात् झेलम मेडिकल कालेज के छात्रों को, जिन्हें असामान्य स्थिति के कारण घाटी छोड़ने पर मजबूर कर दिया गया था, देश के अन्य मेडिकल कालेजों में दाखिला दिया जाएगा;

(ख) यदि हां, तो इस संबंध में ब्यौरे क्या है; और

(ग) यदि नहीं, तो इसके क्या कारण हैं ?

स्वास्थ्य और परिवार कल्याण मंत्रालय में उपमंत्री और उद्योग मंत्रालय में उपमंत्री (श्री दसई चौधरी): (क) से (ग) झेलम वैली, मेडिकल कालेज, श्रीनगर के छात्रों के इस राज्य से बाहर किसी अन्य मेडिकल कालेज में स्थानान्तरण के प्रश्न पर भारतीय आयुर्विज्ञान परिषद् के परामर्श से स्वास्थ्य और परिवार कल्याण मंत्रालय द्वारा विचार किया गया है। लेकिन, चूंकि यह मेडिकल कालेज भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 के उपबंधों के तहत भारतीय आयुर्विज्ञान परिषद् द्वारा मान्यता प्राप्त नहीं है, इसलिए इस कालेज के छात्रों का स्थानान्तरण अनुमत्य नहीं है। भारतीय आयुर्विज्ञान परिषद् द्वारा निर्धारित स्थानान्तरण नियमों में केवल एक मान्यता प्राप्त मेडिकल कालेज से दूसरे मान्यता प्राप्त मेडिकल कालेज में स्थानान्तरण की व्यवस्था है।

SHRI SHABBIR AHMAD SALARIA: Sir, I submit that the reply given is one of desperation and helplessness. The point is that it is admitted that the Jhelum Medical College was functioning there. It is admitted that students were there and that they had not been able to pursue their studies there on account of the circumstances prevailing there. These students have to be accommodated somewhere, in public interest. Their career is in danger. But a reply is given that the rules of the Medical Council of India do not permit the admission of students from a non-recognised or private medical college in another medical college. I would ask whether the rules are not amendable. Has the Government moved the Medical Council of India for amending the rules, to ameliorate the lot of those students who have been affected? Can't a camp college be started in Jammu itself where these students can be admitted for the time being? Then, has the Government taken any step to provide protection to the students in the medical college at Jhelum? This desperate reply of helplessness will not do.

MR. CHAIRMAN: You had been an advocate yourself. The recognition of the Medical Council of India is absolutely essential for both Government and non-Government colleges. And if we permit non-recognised colleges and their studets to migrate from one place to another, then the whole recognition of your medical degrees will be in jeopardy in the whole world. *(Interruptions)*.

SHRI SHABBIR AHMAD SALARIA: The reply on the other hand is that rules do not permit the admission of the boys in the non-recognised medical colleges.

MR. CHAIRMAN: Is it a recognised medical college? The question is very simple. Has the Jhelum Medical College been recognised by the Indian Medical Council? You tell this to the House.

SHRI SHABBIR AHMAD SALARIA: That is not the reply.

MR. CHAIRMAN: The crucial question is, is a recognised medical college recognised by the Indian Medical Council?

SHRI SHABBIR AHMAD SALARIA: They must be able to reply that.

SHRI N. K. P. SALVE: That is reasonable, Sir.

THE MINISTER OF FOOD AND CIVIL SUPPLIES (SHRI RAO BIRENDRA SINGH): Sir, this matter has been thoroughly examined by the Government two or three times in the past at the behest of the former Minister of Home, Shri Mufti Mohammad Sayeed even while Shri George Fernandes was looking after the Kashmir affairs. It was not possible for the Government to help these students because of the difficulty you yourself have pointed out.

MR. CHAIRMAN: I just elucidated what the Minister said and nothing of mine.

SHRI RAO BIRENDRA SINGH: All the students in the Kashmir valley who belong to the Kashmir Medical College which is a recognised institution, were provided seats outside. But about the students from this college, the matter went even up to the Supreme Court. The Indian Medical Council was a party and the students themselves had approached the Supreme Court because the Supreme Court had earlier issued a stay order that the students from non-recognised colleges could not be allowed to migrate to recognised colleges. I will read an extract from the judgment of the Supreme Court and that will set the matter at rest. On the 6th of December, 1990, the Supreme Court rejected the petition of the students who were asking for migration and they said: "Since the Jhelum Valley Medical College wherein the applicants are students, is not recognised and approved by the Indian Medical Council, the prayer for transfer of the applicants to any other institution, recognised by the Indian Medical Council is not permissible. The applications are accordingly rejected."

So that is the end of the matter. Even the Supreme Court has barred the migration of these students and nothing can be done.

SHRI SHABBIR AHMAD SALARIA: You have tried to sort out the matter according to the rules and the law but the question here is that... (*Interruptions*)

MR. CHAIRMAN: He wants to know whether you are willing to amend the law. (*Interruptions*)

SHRI SHABBIR AHMAD SALARIA: There is an abnormal situation in which hundred of students are caught and their career is in danger. The Government has not looked at that matter in this manner. Since the Supreme Court said that under the rules, it was not permissible, they should go to dogs. This is not how the Government should approach the matter. The question is, what should you do as a Government for the future of the students. That is the question. That is how you should approach it. You are doing it as if you where a litigant. It is your duty to see that the boys are somewhere adjusted. You find a way out.

SHRI RAO BIRENDRA SINGH: Sir, the Government has to regulate the admission in colleges. There is a system of recognition by the Medical Council so that the standards of education are maintained and there is a medical college in Srinagar itself—the Government Medical College. There is another recognised Medical College at Jammu and the students from Srinagar Medical College about 123 in number were accommodated outside in various colleges in different States and 33 postgraduate students also were accommodated outside. They were allowed to migrate but in Jammu itself, there was not enough number of seats to accommodate all the students. That is why the Government came to the help of the students and got them adjusted outside the state. The issue is under consideration about amending the various laws on this matter. I agree that allowing unrecognised medical colleges to continue functioning even for a short while...causes hardship to the students without much fault on their part. We are trying to ensure that no institution is started before the Medical Council undertakes inspection. This unrecognised institution was opened under the Kashmir University. Medical Council had nothing to do with this.

MR. CHAIRMAN: Did the University allow it?

SHRI RAO BIRENDRA SINGH: They were allowed to open the institution. They were charging capitation fee. Medical Council never inspected them. They did not recognise this institution. If they had been studying there even if this trouble had not arisen, their degree would not have been recognised. In any case they could not serve outside.

MR. CHAIRMAN: Are you going to do something for those boys? They had paid the capitation fee and all that. Can you do something and think about it?

SHRI RAO BIRENDRA SINGH: Sir, the Government cannot consider ways and means of allowing these substandard institutions to be recognised. What we want to do is to try and give some authority and power to the Indian Medical Council so that these institutions do not come up like mushrooms and the students do not miss their career.

SHRI SHABBIR AHMAD SALARIA: Sir, my supplementary is...

श्री सभापति: आपका सप्लीमेंट्री हो गया है।

DR. YELAMANCHILI SIVAJI: Sir, in spite of the repeated assertions of various Ministers of Health and Family Welfare as well as the successive Prime Ministers, there is a mushroom growth of private medical colleges, collecting capitation fee in various States like Karnataka, Maharashtra, Jammu and Kashmir and othe places...

MR. CHAIRMAN: Andhra Pradesh also?

DR. YELAMANCHILI SIVAJI: Sir, you know about Andhra Pradesh. The recent amendments in the Indian Medical Council Act were referred to the Joint. Committee and they said that recognition by the Indian Medical Council was a must even before starting a medical college and all the medical colleges are to be started with the due approval of the State Governments. I would like to know the steps the Union Government, have taken to see that there is no mushroom growth of medical colleges and that there is no capitation fee for admission in various undergraduate and postgraduate Medical colleges?

SHRI RAO BIRENDRA SINGH: That matter has been under consideration of Government and also under correspondence between the Central Government and the various State Governments. The Government of India's policy is not to allow such institutions to charge sanitation fee. But some of the State Governments are very strongly feel-

[Rao Birendra Singh]

ing that these institutions under their authority shall continue to charge capitation fee because they could not otherwise function very well and they could not meet their financial requirements. All these things are to be curbed under a strict law which the Government of India will consider.

SHRI TIRATH RAM AMLA: Sir, this is a matter of not hundreds of boys and girls, but this is a matter of only 22 boys and girls, belonging to a minority community and they were forced to run away from Kashmir because the Government could not give them protection and they could not stay there and continue their studies. If the Government had given them protection and if they had stayed there, they would have continued their studies and completed the course, and like several other private colleges the Jhelum Medical College also would have given them the degree. It is the failure of the Government in giving them protection which was responsible for their running away. And they were only 22 and not many. Where should these boys go? Of course, their parents had paid the capitation fee, but we know as to how they managed to pay the capitation fee. They had to sell their property. In some cases they had to sell even their movable property like utensils. And now the Government comes and says that they can't help it. (*Interruptions*) Like so many other private colleges, the Jhelum Medical College is also running like them. Now it is a question of considering this matter on a humanitarian ground. The Government is going to open a camp college to accommodate the boys of the Government Medical College who could not be accommodated in other colleges or in the Jammu Medical college. For them they are going to open a camp college. Why not the honourable Minister consider it on humanitarian grounds and allow these 22 boys and girls to study in that camp college? Some of the girls have already appeared in the medical examination of the Kashmir University and they have passed the examination like other students of other medical colleges of the Kashmir University. Even then they have to run from pillar to post and they are not being heard, they are not being accommodated. So please do something.

SHRI RAO BIRENDRA SINGH: Government cannot become a party to the students continuing their education at their own risk in an unrecognised institution. Starting another camp college would mean that the Government should allow another unrecognised college. But all that we can do is to advise the students to seek admission outside in similar unrecognised institutions and for that we shall do whatever is possible.

MR. CHAIRMAN: Mr. Raj Mohan Gandhi.

SHRI TIRATH RAM AMLA: At least do something for these who have passed the second year examination of the Kashmir University...

MR. CHAIRMAN: That he has himself said.

SHRI TIRATH RAM AMLA: Why should they not be accommodated. those who have passed the examination?

श्री सभापति : आमला जी, आपकी बात उन्होंने खुद कह दी, आप क्यों दोबारा-तिबारा रिपीट कर रहे हैं। उससे कोई फर्क थोड़े ही पड़ता है। यूनिवर्सिटी ने रिकाग्नाइज किया, उन्होंने खुद कहा।

SHRI RAJ MOHAN GANDHI: Will the honourable Minister kindly name the medical colleges, hospitals, nursing institutions, in Jammu and Kashmir where the present situation has seriously hampered the functioning of those institutions? Secondly, what alternative arrangements for the health of the citizens of Jammu and Kashmir are being made as a result of this? And thirdly, if not now, later, will the honourable Minister supply the number of the students dispaced both from the medical colleges and the nursing

institutions in Jammu and Kashmir, and what arrangements are being made for them?

SHRI RAO BIRENDRA SINGH: I require notice for supplying this information. If the honourable Member writes to the Ministry, we shall supply all the information.

SHRI RAJ MOHAN GANDHI: It is not only for my personal interest. The whole House would like to know.

MR. CHAIRMAN: He has given the number of medical students. The number of nursing students is a seperate thing. For that he requires notice.

SHRI RAJ MOHAN GANDHI: About the alternative arrangements being made in Jammu and Kashmir?

MR. CHAIRMAN: He has already said from a humanitarian angle they are going into the whole question. That is what he has promised.

SHRI S. B. CHAVAN: There has been a mushroom growth of these technical institutions, both in medical colleges to charge capitation fees. I am really thankful to the honourable Minister that he has made a statement here saying that they have advised all the State Governments that they should not allow any of these colleges to charge capitation fees. I am sure the honourable Minister is aware of the fact that a large number of colleges have been started merely with a view to charging capitation fees. Has the Government of India any mechanism by which it will be able to find out as to whether such colleges have or have not charged capitation fees? Another point on which I would like to have information from the honourable Minister is whether the capitation fee which has been charged and which is very exorbitant, is going into the accounts of the institutions or it is going into private hands.

SHRI RAO BIRENDRA SINGH: I have already stated that some of the State Governments have allowed certain institutions to charge capitation fees. This is within their knowledge. Not only is this within their knowledge but it is being allowed by the State Governments against the policy of the Central Government. And, Sir, we are considering amending the various laws and regulations to see that the Medical Council of India can exercise some authority over them.

MR. CHAIRMAN: Question No. 23.

Restructuring of Vayudoot

*23. SHRI HARVENDRA SINGH HANSPAL:†
SHRI JAGADISH JANI:

Will the Minister of CIVIL AVIATION be pleased to state:

(a) whether Government are examining various options, including the one of privatisation, for restructuring Vayudoot which is in the red;

(b) if so, what are the details of the steps Government have taken recently to restructure its functioning.

(c) whether any private sector company has shown interest for taking over the same; and

(d) if so, what are the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF CIVIL AVIATION (SHRI HARMOHAN DHAWAN): (a) to (d) Government is considering various options regarding the future set up of Vayudoot Limited. No final decision has yet been taken in this matter.

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†The Question was actually asked on the floor of the House by Shri Harvendra Singh Hanspal.